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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91212861
Party	Plaintiff Fairmont Holdings, Inc.
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Date	06/26/2015
Attachments	motion to suspend 2.pdf(39006 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK  
OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

FAIRMONT HOLDINGS, INC.,  
a Florida Corporation,

Opposer/Registrant,  
vs.

Opposition No. 91212861  
Application Serial No.: 85859951  
Word Mark: DEWAR'S LIVE TRUE

BACARDI & COMPANY LIMITED,  
a Liechtenstein Company,

Applicant/Petitioner.  
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**MOTION TO SUSPEND PROCEEDINGS**

Opposer/Registrant, Fairmont Holdings, Inc., by and through its undersigned counsel, requests that the Trademark Trial And Appeal Board ("TTAB") grant this Motion To Suspend Proceedings, and as its basis states as follows:

1. Pursuant to 37 CFR §2.117(c), the TTAB may suspend a proceeding for good cause.
2. The parties in this proceeding have commenced settlement negotiations; however the parties require additional time to consummate a settlement.
3. Further, on January 22, 2014, the TTAB entered a Discovery Conference Order stating that: "... the parties agreed to accept service of papers by e-mail, except for service of documents responsive to document requests which may be served by first-class mail via hard copy."
4. On August 22, 2014, Applicant served its document production upon Opposer, via email, in response to Opposer's *First Request For Production Of Documents And Things*. On November 7, 2014, Opposer advised Applicant that Opposer was unable to open Applicant's email document production and Opposer requested that a hard copy of the production be mailed to Opposer. Additional requests for hard copies of the document production have been made by Opposer to Applicant.
5. To date, Applicant has failed to comply with the TTAB's Discovery Conference Order or Opposer's request for hard copies of Applicant's document production.

Wherefore, Opposer respectfully requests that the TTAB enter an order suspending these proceeding until thirty (30) days after the time in which Applicant provides evidence of service upon Opposer of hard copies of Applicant's document production.

I hereby certify that a true and correct copy of the above and foregoing is being submitted electronically, via the Electronic Filing System, with the Trademark Trial And Appeal Board, on June 26, 2015. I further certify that a true and correct copy of the above and foregoing was served

electronically (per agreement) on June 26, 2015 upon Janice Housey, Symbus Law Group, PO Box 11085, McLean, VA 22102-7985, [jhousey@symbus.com](mailto:jhousey@symbus.com).

Respectfully submitted,  
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By: /s/ Kim Kolback  
KIMBERLY KOLBACK